

DOE acknowledges the Federal Government's trust responsibilities to Native Americans, but analysis of these obligations or issues associated with securing tribal homelands for future generations is beyond the scope of this EIS. If the Yucca Mountain site was not approved, DOE would not proceed with the development of a repository there and, as directed by Section 113(c)(3) of the NWPA, would prepare a report to Congress with its recommendations for further action to ensure the safe permanent disposal of spent nuclear fuel and high-level radioactive waste, including the need for new legislative authority. DOE has stated that it believes that both No-Action Alternative scenarios are unlikely even though continued onsite storage of high-level radioactive waste and spent nuclear fuel would be necessary for some time in the event that the Yucca Mountain site was not approved.

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